REMARKS

This Amendment is filed in response to the Office Action filed on May 28, 2004. All objections and rejections are respectfully traversed.

Claims 75-119 are in the case.

Claims 75, 91, 95, 98, 101, 104, and 109 have been amended to better claim the invention.

Claims 113-119 have been added to better claim the invention, and are believed to be in condition for allowance.

At paragraph 3 of the Office Action, the drawings were objected to under 37 C.F.R. §1.83(a) for not showing every feature of the invention specified in the claims, particularly, the peripheral device connected to the external programming device of claim 90. Applicant directs the Examiner to the paragraph spanning pages 16 and 17 of the Specification as filed, which reads:

> Eventually, the editor can be provided with options which allows for executing the new program on the oven 1 under the direct control of the Personal Computer 10, i.e. simply using the control system of the appliance as a executor of the commands of the Personal Computer **(therefore, the oven 1 operates as a simple peripheral controlled by the PC itself)**; this, for instance, to allow the user to previously verify the efficiency of an operating cycle, before proceeding to a final storage of the relevant program in the memory of area ME3. **(emphasis added)**

The drawings show the peripheral device connected to the external programming device by depicting the oven 1 connected to the PC 10. The drawings, therefore, are believed to be in allowable condition.

At paragraph 4 of the Office Action, the Specification was objected to for failing to have an Abstract. Applicant has provided a new copy of the Abstract that Applicant believes was given on the front page of the International Publication originally filed.

The Abstract has been amended slightly to conform to U.S. patent practice, and is believed to be in allowable condition.

At paragraph 5 of the Office Action, the disclosure was objected to for certain informalities. The disclosure has been amended to correct these informalities, and no new matter has been entered. The disclosure is believed to be in allowable condition.

At paragraph 6 of the Office Action, claim 91 was objected to for certain informalities. Claim 91 has been amended, and is believed to be in allowable condition.

At paragraph 7 of the Office Action, claim 104 was objected to under 37 C.F.R. §1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 104 stores the information "on a memory" of the external programming device, while claim 103 downloads the information "through" the external programming device, which does not require any storage of the information on the external programming device. Further, claim 104 has been amended to correct a typing error, and is believed to be in allowable condition.

At paragraph 9 of the Office Action, claim 90 was rejected under 35 U.S.C. §112, first paragraph, for not being enabled by the Specification. Again, the Examiner is directed to the paragraph spanning pages 16 and 17 of Specification, where **the oven 1 operates as a simple peripheral controlled by the PC itself**. Accordingly, Applicant respectfully urges that the features of claim 90 are enabled by the Specification, and claim 90 is believed to be allowable condition.

At paragraph 11 of the Office Action, claims 95, 101, and 109 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 95, 101, and 109 have been amended, and are believed to be in allowable condition.

At paragraph 17 of the Office Action, claims 75, 77-89, 91-92, 94-102, 104-108, and 110-112 were rejected under 35 U.S.C. §102(a) as being anticipated by Yung, U.S. Patent No. 5,967,021, issued on October 19, 1999.

The present invention, as set forth in representative claim 75 (***emphasis added***) comprises in part:

> A system for programming a household appliance having an electronic control that manages the execution by the appliance of a plurality of programs consisting of treatment phases, the system including:
>
> a microcontroller,
>
> a first memory associated with the microcontroller, the first memory storing as write protected during the manufacturing of the appliance first information that is used by the control system to execute a given number of first programs of the appliance, the first programs allowing the immediate use of the appliance after the completion of manufacturing;
>
> a control panel residing on the appliance, the control panel including user-operated controls for the selection and the control of the execution of the first programs,
>
> communication means for interfacing the control system to an external electronic programming device,
>
> a writeable and erasable second memory resident on the appliance for storing second information provided by the external programming device, once the appliance has been marketed and/or installed at a user's premises, the second information
>
> ***allowing the control system to execute second programs which are in addition to and different from the first programs, the second programs being user-defined,*** and
>
> allowing the user to select and command the execution of the second programs through the control panel residing on the appliance,
>
> ***the second information being encoded and stored in the second memory for an undetermined time, until the user directs a subsequent modification or cancellation of the second information through the external programming device.***

In contrast, the Yung food appliance allows a user to adjust manufacturer or developer-supplied programs only in a limited manner and on an as needed, i.e., a current use, basis. There is thus no teaching or suggestion in Yung of a mechanism for creating and/or editing ***user-defined*** programs and/or for storing the programs for repeated retrieval and use in a memory that is resident on the appliance, until subsequent modification or cancellation by the user.

Yung discloses a food appliance (such as a breadmaker) that is controlled by predefined processing programs, either originally stored on the appliance or available as predefined updates from the manufacturer or other developers through a removable memory (disk or memory card), or a standard data port. The programs utilize a special type of code that is read by the food appliance to set particular parameter values (e.g. duration and temperature) of preset operation cycles of an associated cooking process. The codes may be associated with a lookup table that stores predefined sets of values for the process parameters. Conversely or in addition, the user may select new sets of values for the parameters of a given program before activating the associated process. The Yung system directs a user to select the new values from among a number of predefined groupings of parameter settings, using, for example, a chart (see, Figs. 8 and 9) that may be displayed on the control panel of the appliance. The selected grouping of values is then retained in registers within the appliance for the duration of the current process.

In contrast, the current system allows a user to readily create and/or edit and store user-defined programs for use in the appliance, thus releasing the user of the constraints of the manufacturer's original or subsequent predefined programs. This added flexibility allows the user to fine-tune the operation of the appliance with essentially unlimited options. For example, the user may add operating cycles (or treatment phases) to or eliminate operating cycles from a given program to produce a new program or an edited version of the given program. Further, the user may vary

any number of operating conditions to customize all or certain of the program cycles to create a new program or an edited version of a given program.

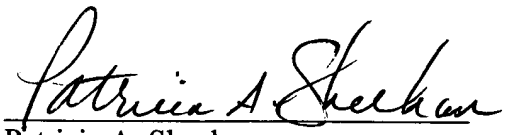
The current system thereafter stores the new program or the edited version of the program in memory on the appliance for repeated use. The current system can thus repeatedly retrieve and use the user-defined programs, until the user thereafter further modifies or cancels the programs. The current system is thus particularly beneficial for users who would otherwise find themselves repeatedly adjusting manufacturer-predefined programs in an attempt to achieve and later repeat a desired appliance operation, such as, for example, a particular cooking process.

Accordingly, Yung does not show, teach or suggest the current invention because, *inter alia*, Yung does not show, teach or suggest a control system for an appliance that allows a user to create and/or edit ***user-defined*** programs for operating the appliance, and thereafter store the programs for use until the user subsequently modifies or cancels the programs, as set forth in independent claims 75, 91, and 98 and the claims that depend therefrom.

In light of the above, we respectfully request that the Examiner reconsider the rejections and issue a Notice of Allowance for all pending claims, as amended. We also point out that an Information Disclosure Statement was filed on June 12, 2001 and request that the Examiner provide us with a copy of the completed PTO Form 1449 for our records.

Please charge any fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,



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